

BILL NO. X-72-12-10

ANNEXATION ORDINANCE NO. X-01-73

AN ORDINANCE ANNEXING certain territory to the City of Fort Wayne and including the same in Councilmanic District No.

WHEREAS, more than fifty one percent (51%) of the owners of the hereafter described real estate have petitioned the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex said real estate to the City of Fort Wayne, Indiana; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Begin at a point 25.0 feet east and 20.0 feet north of the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined by the intersection of the North and east right-of-way lines of Dalman Road and Smith Road; thence north along the east right-of-way line of Smith Road a distance of 2620 feet; thence easterly along the north line of the south half of said Section 32 a distance of 5260.0 feet to the west line of Section 33, T. 30 No.; R. 12.E., thence north along said west line of Section 33 a distance of 1000.0 feet; thence south 88° 02' east along an existing line fence, a distance of 750.0 feet more or less to the centerline of Harber Fairfield Ditch; thence southeasterly along the centerline of Harber Fairfield Ditch a distance of 1780.0 feet more or less to the easterly right-of-way line of Old State Road 3; thence southwesterly along the east right-of-way of Old State Road 3 to a point of the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right-of-way line (projected) of State Road 3; thence southwesterly along the west limited access right-of-way of State Road 3 a distance of 1675.0 feet more or less, to the end of said limited access right-of-way; thence easterly along said property line to a point 40.0 from the centerline of State Road 3; thence southwesterly along the west right-of-way line of State Road 3 to the south line of the north half of Section 5; T. 29 No., R. 12E., a distance

of approximately 810.0 feet; thence westerly along the south line of the north half of Section 5 a distance of 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of 2100 feet to the North right-of-way line of Dalman Road; thence westerly along the North right-of-way of Dalman Road a distance of 1680.0 more or less to the point of beginning.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is from and after its passage, approval by the Mayor and sixty (60) days after legal publication thereof.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication.

Vivian G. Schmidt
Councilman

Approved as to form and legality

John H. Logan
Associate City Attorney

Read the first time in full and on motion by V. Schmidt seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Annexation (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: 12/5/72 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus seconded by Talarico and duly adopted, placed on its passage.

Passed (~~1987~~) by the following vote:

AYES <u>8</u> :	NAYS <u>0</u> :	ABSTAINED <u>1</u> :	ABSENT <u>1</u> to-wit:
Burns <u>✓</u>	_____	_____	_____
Hinga <u>✓</u>	_____	_____	_____
Kraus <u>✓</u>	_____	_____	_____
Nuckols <u>✓</u>	_____	_____	_____
Moses <u>✓</u>	_____	_____	_____
Schmidt, D. <u>✓</u>	_____	_____	_____
Schmidt, V. <u>✓</u>	_____	_____	_____
Stier <u>✓</u>	_____	<u>✓</u>	<u>✓</u>
Talarico <u>✓</u>	_____	_____	_____

Date 10-9-73 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as ~~Zoning~~ Map (General) (Annexation) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. X-01-73 on the 9th day of October, 1973.

ATTEST: (SEAL)
Charles W. Westerman Winfull C. Moore Jr.
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973 at the hour of 11:00 o'clock A.M. E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973 at the hour of 11:05 o'clock A. m., E.S.T.

Law H. Deane
MAYOR

Recd.
1-9-73
Ely
Bair Field

Bill No. X-72-12-10

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance
annexing certain territory to the City of Fort Wayne
and including the same in Councilmanic District No.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance _____ PASS.

Eugene Kraus, Chairman

Paul M. Burns - Vice-Chairman

Donald J. Schmidt

Vivian G. Schmidt

John Nuckols

Eugene Kraus
Paul M. Burns
D J Schmidt
Vivian G. Schmidt
John Nuckols

DATE 10-9-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No.

WHEREAS, more than fifty one percent (51%) of the owners of the hereafter described real estate have petitioned the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex said real estate to the City of Fort Wayne, Indiana; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the porporation of the City of Fort Wayne, Indiana, to-wit:

Begin at a point 25.0 feet east and 20.0 feet south North of the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined by the intersection of the South North and east right-of-way lines of Dalman Road and Smith Road; thence north along the east right-of-way line of Smith Road a distance of ~~2660.0~~ 2620 feet; thence easterly along the north line of the south half of said Section 32 a distance of 5260.0 feet to the west line of Section 33, T. 30 No.; R. 12 E., thence north along said west line of Section 33 a distance of 1000.0 feet; thence south 88° 02' east along an existing line fence, a distance of 750.0 feet more or less to the centerline of ~~Harber Ditch~~ (Fairfield) thence southeasterly along the centerline of ~~Harber Ditch~~ a distance of 1780.0 feet more or less to the easterly right-of-way line of State Road 3; thence southwesterly along the east right-of-way of State Road 3 to a point on the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right-of-way line (projected) of State Road 3; thence southwesterly along the west limited access right-of-way of State Road 3 a distance of 1675.0 feet more or less, to the end of said limited access right-of-way; thence easterly along said property line to a point 40.0 from the centerline of State Road 3; thence southwesterly along the west right-of-way line of State Road 3 to the south line of the north half of Section 5; T. 29 N., R. 12 E., a distance, of approximately 810.0 feet; thence westerly along the south line of the north half of Section 5 a distance of 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of ~~2660.0~~ 2100 feet to the south right-of-way line of Dalman Road; thence westerly along the ~~south~~ right-of-way of Dalman Road a distance of 1680.0 more or less to the point of beginning. North

SECTION 2. That said annexed territory shall be part of Councilmanic District No. of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is from and after its passage, approval by the Mayor and sixty (60) days after legal publication thereof.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication.

Vivian G. Schmidt
Councilman

may. sig.
Oct 12

4
Clark Copy
File
Let go of Blank
but just from 4.52

PETITION FOR ANNEXATION

TO THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

The undersigned, being more than fifty-one percent (51%) of the owners of the real estate described in Exhibit "A", do hereby respectfully petition the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex to the City of Fort Wayne, Indiana said real estate set forth in said Exhibit "A".

Dated May 3, 1972.

LNC LAND SALES, INC., an Indiana corporation

By Harold L. Bobeck *HLS*
(Harold L. Bobeck, President)
Harley K. Holly
(Harley K. Holly, Secretary)

BAER FIELD PARK, INC., an Indiana corporation

By Theodore F. Hagerman
(Theodore F. Hagerman, President)
William O. Hagerman
(William O. Hagerman, Secretary)

Theodore F. Hagerman
Theodore F. Hagerman, Individually

William O. Hagerman
William O. Hagerman, Individually

Prepared By: MICHAEL H. KAST, Attorney
305 Lincoln Bank Tower
Fort Wayne, Indiana 46802

Begin at a point 25.0 feet east and 20.0 feet south of the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined by the intersection of the South and east right of way lines of Dalman Road and Smith Road; thence north along the east right of way line of Smith Road a distance of 2660 feet; thence easterly along the north line of the south half of said Section 32 a distance of 5260.0 feet to the west line of Section 33, T. 30 N.; R. 12 E., thence north along said west line of Section 33 a distance of 1000.0 feet; thence south $88^{\circ} 02'$ east along an existing line fence, a distance of 750.0 feet more or less to the centerline of Harber Ditch; thence southeasterly along the centerline of Harber Ditch a distance of 1780.0 feet more or less to the easterly right of way line of State Road 3; thence southwesterly along the east right of way line of State Road 3 to a point on the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right of way line (projected) of State Road 3; thence southwesterly along the west limited access right of way line of State Road 3 a distance of 1675.0 feet more or less, to the end of said limited access right of way; thence easterly along said property line to a point 40.0 from the centerline of State Road 3; thence southwesterly along the west right of way line of State Road 3 to the south line of the north half of Section 5; T. 29 N., R. 12 E., a distance of approximately 810.0 feet; thence westerly along the south line of the north half of Section 5 a distance of 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of 2060.0 feet to the south right of way line of Dalman Road; thence westerly along the south right of way line of Dalman Road a distance of 1680.0, more or less to the point of beginning.

COMMITTEE REPORT

ANNEXATION ORDINANCE NO. X-72-12-10

After reviewing the Annexation Report, it is the opinion of this Committee that the area proposed for annexation by Bill No. X-72-12-10 substantially meets the criteria for annexation as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHTH (1/8) OR 12% OF ITS AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the city on its eastern boundary for a distance of approximately 4,015 feet of its total perimeter length of approximately 22,871 feet or 17%.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

A large percentage of the residents in the area have municipal services at the present time. Also, most of the people in the area work and shop within the City of Fort Wayne. Because of this felt unity of interest, they have petitioned the city to be annexed.

3. THE ADVANTAGES TO THE AREA PROPOSED ANNEXATION MUST OUTWEIGHT THE DISADVANTAGES;

Residents of the area would experience an increase in taxes. The increase in city services, however, would far exceed the increase in taxes.

4. THE ADVANTAGES TO THE CITY MUST OUTWEIGHT THE DISADVANTAGES;

The city would continue to realize a normal, active growth. It would also benefit from the acquisition of land suitable for industrial development and the increased jobs and taxes that normally result.

5. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE;

While there are deficits during the first few years of development (this is to be expected), the total net to the city if revenue over cost is \$429,000 over a ten year period.

6. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES;

At the present time, this area is not being serviced by city water or city sewer, but will be within the three year period.

Police and fire protection, road maintenance, garbage collection, etc., will commence upon annexation.

7. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED.

At the present time 98% of this is zoned for industrial uses.

8. THE CITY MUST DESIRE TO ANNEX THE AREA;

This area represents a normal, logical extension of the city, and has the potential for absorbing needed industrial growth.

Based upon the above, it is the finding of the Committee that the area proposed for annexation by Bill No. X-72-12-10 substantially meets the criteria for annexation. In addition, the residents of the area did petition the city to be annexed, and, therefore, this bill should be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be enacted so as to become effective as soon as possible, and that the indicated portion of Dalman Road be deleted from this ordinance.

Respectfully submitted,



(Mr.) Ron Bonar, Chairman of
the Annexation Committee

Amendment to the Dalman Road annexation recorded by Bill No. X-72
12-10.

The commission recommends the deletion of part of Dalman Road per
attached map from the above named annexation.

The commission also recommends that an amended legal description be
prepared to that part of Dalman Road beginning at the east right-of-
way line of Smith Road and extending 1680.0' more or less east of
the east right-of-way line of Smith Road.

Bill No. X-72-12-10
CITY PLAN COMMISSION

ANNEXATION STUDY

At the regular meeting of the Common Council held December 5, 1972, the proposed ordinance annexing territory to the city of Fort Wayne was introduced and referred to the Committee on Annexation.

The boundaries of the area described in the pending ordinance are shown by the accompanying map.

I BASIC DATA

A. LOCATION:

Generally located as follows, south of Orchard Ridge Country Club, west of State Road #3, north of Baer Field Airport and east of Smith Road.

B. SIZE:

Approximately 638 acres or .99 square miles.

C. POPULATION:

Using the 1970 census tract figures for the area a factor of 3.2 persons per housing unit was derived, so the estimated population of this area is approximately 29 persons.

D. BUILDING:

<u>TYPE</u>	<u>NUMBER</u>	<u>CONDITION</u>
Farm House	9	Fair

E. STREETS & ROADS:

<u>JURISDICTION</u>	<u>NUMBER OF MILES</u>	<u>CONDITION</u>
County	1.5	Fair To Good

F. ZONING:

<u>JURISDICTION</u>	<u>ZONING</u>	<u>No. OF ACRES</u>
City of Fort Wayne	RB	12
	M1	86
	M2	540

G. LAND USE: (Present)

<u>TYPE</u>	<u>PRESENT</u>	<u>OCCUPANCY</u>
	<u>ACRES</u>	<u>%</u>
Farm Land	627.7	98
Streets & Roads	10.3	2

H. LAND USE PLAN:TYPE

Low density residential with a small portion of commercial at the north west and south west corners of Dalman Road and State Road 3. (Baer Road)

II URBAN SERVICES

A. WATER:

Presently there is adequate water in the area. Before full development of this tract can occur however, several off-site extensions must be constructed at an estimated cost of \$225,000. In addition, on-site lines will be required as the development proceeds. Depending upon the scope of the development, oversizing costs to the City may be incurred.

B. SEWERS:

1. Sanitary - An existing 27-inch sanitary sewer on the east side of the Fairfield (Harber) Ditch is adequate to serve the proposed area. Since the western edge of the proposed development is at a lower elevation and drains west into the Little Wabash water shed, the Fairfield Ditch Interceptor should extend west along the natural drain to State Road 3. The estimated cost of this extension is \$180,000. An alternative would be the installation of lift stations and/or oversizing of the on-site system. Maintenance and operation is estimated to cost \$4,000 per year, however, and this alternative should be avoided if at all possible. In summary, to provide adequate sanitary sewer service on off-site cost of approximately \$180,000 is anticipated.
2. Storm - Subject area has been reviewed by William Sweet, County Surveyor. In his review, he has set forth certain design requirements including retention ponds, etc. (These requirements must be satisfied and provisions must be made as part of the development to provide funds for the annual maintenance of these ponds.)

C. STREETS & ROADS:

Minimum street improvements required to satisfy the traffic needs generated by this development and follow the long-range transportation study are as follows:

Dalman Road is a gravel surface totally inadequate to support the type of development proposed. In addition, to provide adequate access in compliance with the Master Transportation Plan, Ardmore should be extended as noted herein.

- A. Extend Ardmore Avenue for Lower Huntington to Tillman with a design of a 120-foot right of way, pavement cross

section of two (2) 24-foot lanes with 16-foot divider median and 11-foot shoulders and side ditches.

- B. Access off State Road 3 to Ardmore Avenue.
- C. Improvement of Dalman Road from Smith Road to Ardmore Extended-right-of-way to a width of 150 feet with a pavement cross section of two (2) 24-foot lanes with 16-foot divider median and 11-foot shoulders and side ditches.

It was pointed out that a portion of "A" (extension of Ardmore) lies outside of the subject area, and, therefore, is off-site. It is estimated this off-site section will cost approximately \$250,000. In addition, it is estimated the on-site improvements will cost approximately \$600,000.

In summary, it is noted approximately \$850,000 will be required to provide adequate access and traffic flow to the project. It should be noted that additional streets and roads within the development will be required as on-site facilities.

Maintenance: The average cost to provide this service is \$2,100.00 per mile. This area contains approximately 1.5 miles of street with an annual maintenance cost of \$3,150.00.

D. POLICE PROTECTION:

On the basis of one (1) officer per 500 persons, it would cost approximately \$16,666.00 to provide service to this area.

E. FIRE PROTECTION:

The following report was submitted by Thomas A. Heckman, Fire Chief, "We have studied the proposed annexation and feel there would be no additional costs to our department provided we extend service from our existing facilities."

F. STREET LIGHTING:

To furnish street lighting for the annexation of Dalman Road will require lighting Dalman Road, Smith Road and State Road #3 with 62-175 watt fixtures, wood poles, and overhead wiring. Estimated cost is \$13,020.

G. TRAFFIC CONTROL:

The following report was submitted by Walt Stout, Traffic Engineer.

A study was made of the proposed annexation area regarding the up of existing traffic control signs and for additional signs that were deemed necessary for

future traffic control improvement. It was found that 14 traffic signs and posts would be needed at a cost of \$323.43.

H. GARBAGE COLLECTION:

Under the terms of the present contract, the cost for garbage collection in this area would be \$156.90 per year. This figure is based on 9 dwelling units in the area at a cost of \$17.77 per unit.

I. SCHOOLS:

This area is served by the Fort Wayne Community Schools.

J. ADMINISTRATIVE COSTS:

Included in this category are several departments of the municipality which provides various services, not measurable in terms of dollars and cents.

Examples are:

City Park Board, Traffic Engineering, Civil Defense, Human Relations Commission, Building Departments, Urban Renewal, Board of Health, Planning, Humane Shelter, and smaller departments such as the Traffic Sign Shop.

The cost to these department of the proposed annexation is difficult to determine since the services provided by these departments are of a more general city-wide nature. Consequently, no estimate is given concerning the cost to these departments. However, all of these services would be available immediately to the area upon annexation to the City. In fact, some of the services are probably already being utilized by the residents of this area, even though they are outside of the Corporate Limits.

There are other municipal administrative costs which cannot be directly related to the size or demand of an area. These costs include such things as the Mayor's Office, City Council, Attorney's Office, City Clerk, Board of Public Works, and City Controller.

K. SUMMARY

Development and services go hand in hand. To be truly efficient and effective one should not outstrip the other. Services provided too far ahead of development and increased revenue is a waste of the taxpayers dollar while development before adequate services are available can be just as inefficient a use of private dollars. Both must work together if the whole community is to benefit.

For this reason, we have balanced the increased revenue to the city due to development against the increases capital

and operational expenses of necessary public services. This is necessary since it takes a while for any development to reach its full revenue generating potential. Because of this, the provisions of necessary public investment and services will be spread over a period of time. Past history of similar developments in Fort Wayne indicate that full development should be reached in ten years. While the operating costs remain virtually unchanged, we have prorated the capital expenditures over a ten year period. This gives a much truer picture of the rate at which public dollars will actually be spent in this area.

III DEVELOPMENT & REVENUE

By comparing this area to similar areas in Fort Wayne it has been estimated that the full development potential of the area will be reached in approximately ten years. The rate of this development will add on the average, approximately \$1,800,000 to the assessed value each year after the 3rd year allowing for initial statutes of development. Starting with a base of \$84,760 and a tax receipt of \$3,144 per annum, this area should reach a total assessed valuation of approximately \$12,700,000 within ten years. At the present tax rate this means a revenue totaling \$471,170 per annum.

Generally, revenues come from several sources, but the City can expect no cigarette tax, alcoholic gallonage tax, or gasoline tax from this area until 1980. The only revenue derived from this area will be through the property tax.

COSTS

SERVICE	ANNUAL CAPITAL	ANNUAL OPERATING	TEN YEAR CAPITAL	TEN YEAR OPERATION	TOTAL TEN YEAR
Streets & Roads	85,000	3,150	850,000	31,500	881,500
Water	22,500		225,000		225,000
Street Lighting	1,302	942	13,020	9,420	22,440
Sewers	18,000		180,000		180,000
Police		16,666		166,666	166,666
Garbage		157		1,570	1,570
	32		320		320
Total	126,834	20,815	1,268,340	209,156	1,477,496

Property Tax Receipts (Rate = 3.71/hundred)

<u>YEAR</u>	<u>ESTIMATED ASSESSED VALUE</u>	<u>TAX</u>
1975	84,760	3,144
1976	90,000	3,339
1977	100,000	3,710
1978	1,900,000	70,490
1979	3,700,000	137,270
1980	5,500,000	204,050
1981	7,300,000	270,830
1982	9,100,000	337,610
1983	10,900,000	404,390
1984	12,700,000	471,170

NET TO CITY

	REVENUE	COST OF SERVICES	GAIN (Loss)
1975	3,144	147,649	(144,505)
1976	3,339	147,649	(144,310)
1977	3,710	147,649	(143,939)
1978	70,490	147,649	(77,155)
1979	137,270	147,649	(10,379)
1980	204,050	147,649	56,401
1981	270,830	147,649	123,181
1982	337,610	147,649	189,961
1983	404,390	147,649	256,741
1984	471,170	147,649	323,521
TOTAL	1,906,003	1,476,490	429,513

[illegible]

Pending Litigation

TOWNSHIP 29 NORTH

ORCHARD RIDGE COUNTRY CLUB

BROOKWOOD GOLF CLUB

BAER FIELD

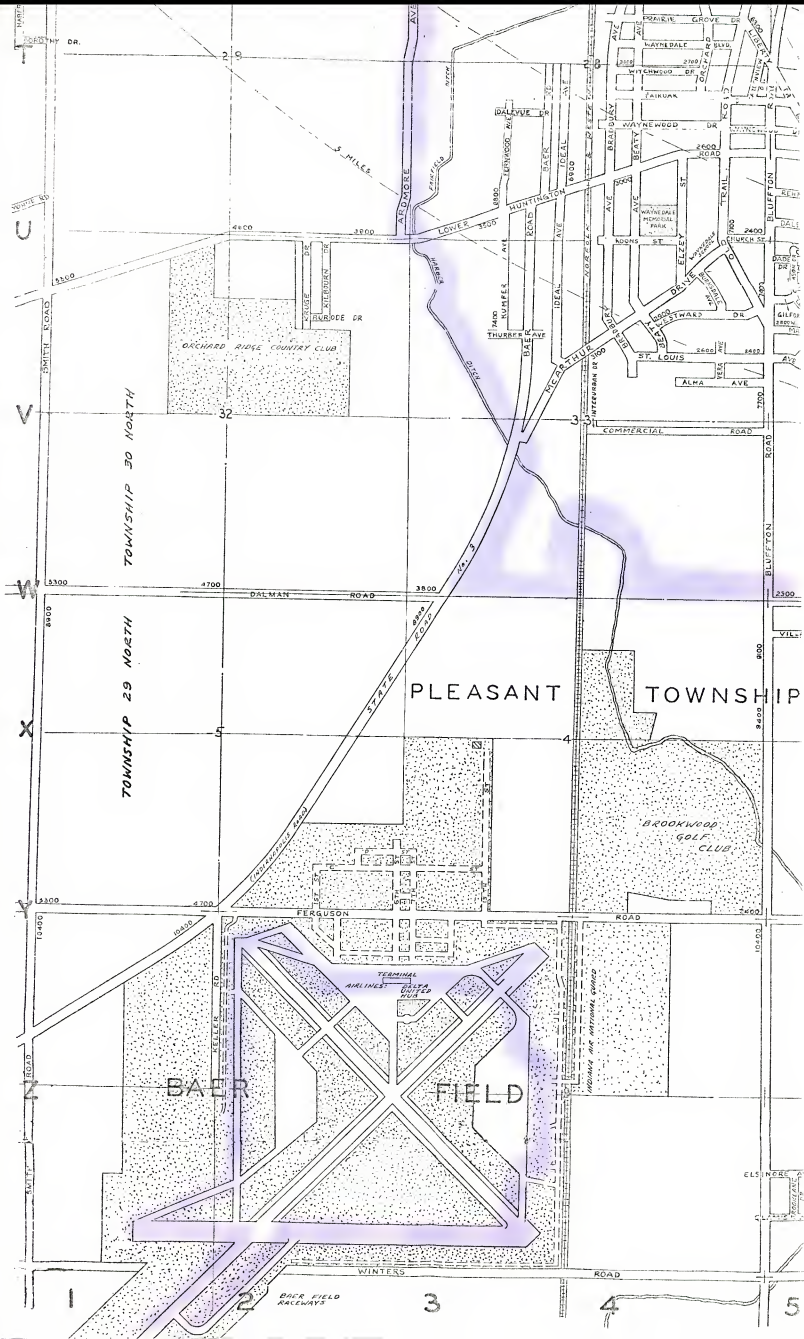
BAER FIELD RAILWAYS

WINTERS ROAD

COMMERCIAL ROAD

SMITH ROAD

PROPOSED JAN 1, 1974



House Memorandum

To Mr. Ron Bonar, City Engineer Date November 9, 1972
From Ken Traylor
Subject Proposed Annexation - Smith Road

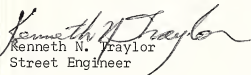
COPIES TO:

R. Pierce
M. VanCamp

Attached for your review are city quarter section maps at 1" = 100' scale showing (in green) the proposed city limits as described by a description prepared by Kast. The map shows also the dimensions in accordance with the description (call), compared with scaled dimensions.

Some differences are minor; however, we question the following points in particular:

- (1) The point of beginning indicates 20 feet of right of way along the east side of Smith Road. Our research cannot verify this. We have found that the Auditor's office has on file a petition to make Dalman Road a 50 ft. right of way. However, this was never acted upon by the County Commissioner.
- (2) On line 15 of the attached description, the call is for a distance of 1870.42 feet "more or less", our scaled measurement indicates 2235 ft., a difference of 364.58 ft. Although the intent is clear, to go to a point on the south line of Section 33, it is difficult to account for this tremendous variance. This discrepancy alone would make it impossible to close this traverse.


Kenneth N. Traylor
Street Engineer

KNT:id
attach.

1. Begin at a point (20.0) feet east and 20.0 feet south of
 2. the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined
 3. by the intersection of the south and east right of way lines of
 4. Dalman Road and Smith Road; thence north along the east right of way
 5. line of Smith Road a distance of 2660 feet; thence easterly along
 6. the north line of the south half of said Section 32 a distance of
 7. 5260.0 feet to the west line of Section 33, T. 30 N.; R. 12 E.;
 8. thence north along said west line of Section 33 a distance of 1000.0
 9. feet; thence south $88^{\circ} 02'$ east along an existing line fence, a
 10. distance of 750.0 feet more or less to the centerline of Harbor Ditch;
 11. thence southeasterly along the centerline of Harbor Ditch a distance
 12. of 1780.0 feet more or less to the easterly right of way line of
 13. State Road 3; thence southwesterly along the east right of way line
 14. of State Road 3 to a point on the south line of Section 33, a dis-
 15. tance of 1870.42 feet more or less; thence westerly along the south
 235 16. line of Section 33, a distance of 111.0 feet, more or less, to the
 17. intersection of the westerly right of way line (projected) of State
 18. Road 3; thence southwesterly along the west limited access right of
 19. way line of State Road 3 a distance of 1675.0 feet more or less, to
 20. the end of said limited access right of way; thence easterly along
 21. said property line to a point 40.0 from the centerline of State Road
 22. 3; thence southwesterly along the west right of way line of State
 23. Road 3 to the south line of the north half of Section 5; T. 29 N.,
 24. R. 12 E., a distance of approximately 810.0 feet; thence westerly
 25. along the south line of the north half of Section 5 a distance of
 26. 2850.0 feet more or less, to a point 1700.0 feet east of the west
 27. line of Section 5; thence north a distance of 2060.0 feet to the
 28. south right of way line of Dalman Road; thence westerly along the
 29. south right of way line of Dalman Road a distance of 1680.0, more
 30. or less to the point of beginning.

Total Perimeter 22,566.42

Length contiguous to present City Limits: 3650.42

$$\text{Ratio} = \frac{22,566.42}{3,650.42} = 6.17/1$$

VOID

Pending
Litigation

TONNSHIP 30 NORTH

TONNSHIP 29 NORTH

PLEASANT TOWNSHIP

Prop 1,
Jan 19 74

BROOKWOOD
GOLF CLUB

BAER

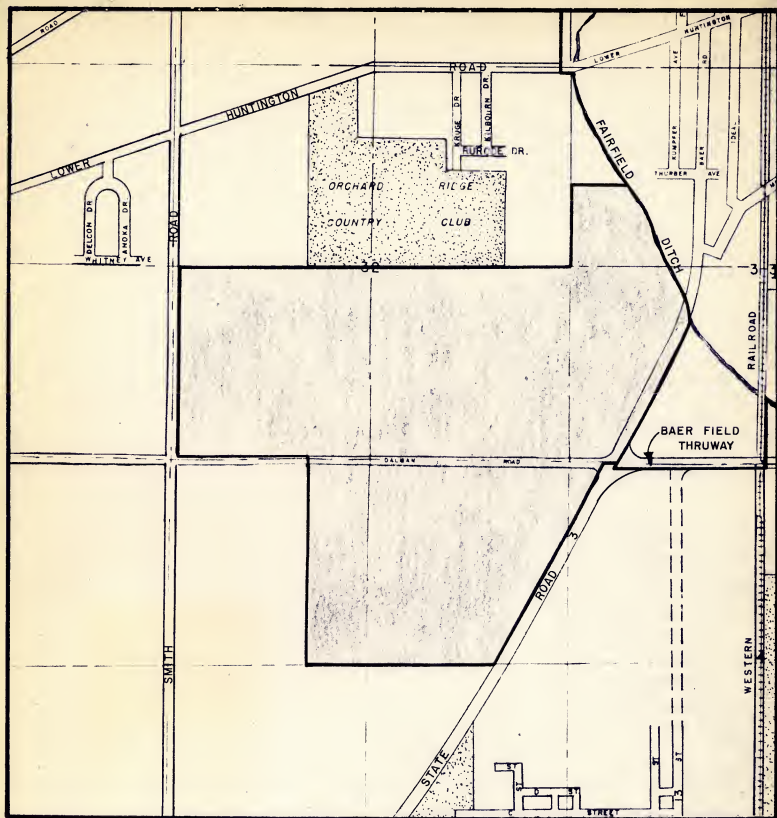
FIELD

BAER FIELD
RACEWAYS

3

4

5



dalman road

X-72-12-10

X-01-73

DIGEST SHEET

TITLE OF ORDINANCE Annexation

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE _____

*A parcel of land bounded on the south by the Orchard Ridge County Club,
located west of State Road # 3, East of Smith Road, and approximately
1/2 mile south of Dalman Road.*

*This is a petition initiated by property owners to become annexed into the
City of Fort Wayne.*

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	<i>X-72-12-10</i>
ORDINANCE NO.	
<input checked="" type="checkbox"/> REGULAR SESSION	<i>12-05-72</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Lagan</i>
BILL WRITTEN BY	<i>City Plan</i>
DATE INTRODUCED	<i>12-05-72</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Annexation</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
<input checked="" type="checkbox"/> HOLD FILE	
PASS	
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/> COMMITTEE SHEET
<input checked="" type="checkbox"/> VOTE SHEET
PURCHASE ORDERS
BIDS
ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
COMMUNICATIONS FROM
<i>Deletion for Annexation</i>
ZONING MAPS
ABSTRACTS
TITLES
PRIOR APPROVAL LETTER

Deletion Sheet

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

COMMENTS:

Hold File



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

October 19, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates October 22 and October 29, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana for the
following ordinances:

General Ordinance No. G-25-73
Amending the master plan of the
City of Fort Wayne by authorizing
the vacation of four lots in Woodlawn
Park.

Zoning Map Ordinance No. Z-17-73
Amending the City of Fort Wayne
Zoning Map No. DD-13

Zoning Map Ordinance No. Z-18-73
Amending the City of Fort Wayne
Zoning Map No. AA7, AA9.

Zoning Map Ordinance No. Z-19-73
Amending the City of Fort Wayne
Zoning Map No. CC14.

Annexation Ordinance No. X-01-73
Annexing certain territory to the City
of Fort Wayne and including the same in
Councilmanic District No.

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

CWW/ne
ENCL: 5

Charles W. Westerman
City Clerk

G. M. Hostman

Date 10-30-73 19

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

October 22 and 29, 1973

Subscribed and sworn to before me this 30th day of October 1973

Cath. Stapleton
Notary Public

My commission expires March 8th, 1974

Notice is hereby given that on the 9th day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-73-12-10, X-01-73 Annexation Ordinance, to-wit:

BILL NO. X-73-12-10
ANNEXATION ORDINANCE NO. X-01-73 AN ORDINANCE ANNEXING certain territory to the City of Fort Wayne and including the same in Councilmanic District No.

WHEREAS, more than fifty one per cent (51%) of the owners of the heretofore described real estate have petitioned the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex said real estate to the City of Fort Wayne, Indiana;

AND WHEREAS, the City of Fort Wayne is desirous of annexing said territory;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Begin at a point 25.0 feet east and 30.0 feet north of the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined by the intersection of the North and east right-of-way lines of Daiman Road and Smith Road; thence north along the east right-of-way line of Smith Road a distance of 2420 feet; thence easterly along the north line of the south half of said section 32 a distance of 550.0 feet to the west line of Section 33, T. 30 N.; R. 12 E., thence north along said west line of Section 33 a distance of 100.0 feet; thence south 88 degrees 02' east along an existing fence, a distance of 750.0 feet more or less to the centerline of Harbor Fairfield Ditch; thence southeasterly along the centerline of Harbor Fairfield Ditch a distance of 1780.0 feet more or less to the easterly right-of-way line of Old State Road 3; thence southwesterly along the east right-of-way of Old State Road 3 to a point of the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right-of-way line (projected) of State Road 3; thence southwesterly along the west limited access right-of-way of State Road 3 a distance of 1653.0 feet more or less, to the end of said limited access right-of-way; thence easterly along said property line to a point 40.0 from the centerline of State Road 3; thence southwesterly along the west right-of-way line of State Road 3 to the southline of the north half of Section 5, T. 29 N.; R. 12 E., a distance of approximately 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of 2100 feet to the North right-of-way line of Daiman Road; thence westerly along the North right-of-way of Daiman Road a distance of 1680.0 more or less to the point of beginning.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is from and after its passage, approval by the Mayor and sixty (60) days after legal publication thereof.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication.

VIVIAN SCHMIDT
COUNCILMAN

Read the third time in full and on motion by Kraus seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burke, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stiller

CHARLES W. WESTERMAN
City Clerk

Date: 10-9-73

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

CHARLES W. WESTERMAN

City Clerk

WINFIELD C. MOSES, JR.

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN

City Clerk

Approved and signed by me this 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

IVAN A. LEBANOFF

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-73 passed by the Common Council on the 9th day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of October, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1973.

CHARLES W. WESTERMAN

CITY CLERK

Common Council, City Fort Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

157

2

159

COMPUTATION OF CHARGES

159 lines, 1 columns wide equals.....equivalent lines at.....288¢
cents per line

\$ 45.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2)

1.00

TOTAL AMOUNT OF CLAIM

\$ 46.79

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

G. M. Hostman

Date 10-30-73, 19

Title Clerk

Notary Public, State of Indiana
Notary No. _____
Abolished: One
Shirley

CHARLES W. WESTERMAN
City Clerk

Date: 10-9-73
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-21-73 on the 9th day of October, 1973, at the hour of 11:00 a'clock A.M., E.S.T.

ATTEST: (SEAL)
CHARLES W. WESTERMAN
City Clerk
WINFIELD C. MOSES, JR.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 a'clock A.M., E.S.T.

Approved and signed by me this 10th day of October, 1973, at the hour of 11:00 a'clock A.M., E.S.T.

IVAN A. LEBANOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-21-73 passed by the Common Council on the 9th day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 10th day of October, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1973.

CHARLES W. WESTERMAN
CITY CLERK

10-22-79

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

October 22 and 29, 1973

Subscribed and sworn to before me this 30th day of October, 1973

Notary Public

My commission expires March 8th, 1974

Arvilla DeWald

Date 10-30-73, 19__

Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

October 22 and 29, 1973

Arvilla DeWald
Subscribed and sworn to before me this 30th day of October, 1973
Ernest Stapleton
Notary Public

My commission expires March 8th, 1974

Notice is hereby given that on the 9th day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-72-12-10, X-71-73 Annexation Ordinance, to-wit:

BILL NO. X-72-12-10
ANNEXTION ORDINANCE NO. X-71-73
AN ORDINANCE ANNEXING certain territory to the City of Fort Wayne, Indiana, including the same in Councilmanic District No. 10.

WHEREAS, more than fifty one per cent (51%) of the owners of the heretofore described real estate have petitioned the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex said real estate to the City of Fort Wayne, Indiana; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory, be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Begin at a point 25.0 feet east and 20.0 feet north of the southwest corner of Section 22, T. 36 N.; R. 12 E., as defined by the intersection of the North and east right-of-way line of Oakman Road and Smith Road; thence north along the east right-of-way line of Smith Road a distance of 200 feet; thence easterly along the north line of the south half of said section 22 a distance of 500.0 feet to the west line of Section 23, T. 36 N.; R. 12 E., thence north along said west line of Section 33 a distance of 100.0 feet; thence south 88 degrees 02' east along an existing line fence, a distance of 70.0 feet more or less to the centerline of Harbor Fairfield Olch; thence southeasterly along the centerline of Harbor Fairfield Ditch a distance of 1780.0 feet more or less to the easterly right-of-way line of Old State Road 3; thence southwesterly along the east right-of-way of Old State Road 3 to a point of the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right-of-way line (projected) of State Road 3; thence southwesterly along the west limited access right-of-way of State Road 3 a distance of 1675.0 feet more or less, to the end of said limited access right-of-way; thence northerly along said property line to a point 40.0 feet from the centerline of State Road 3; thence southwesterly along the west right-of-way line of State Road 3 to the southerly of the north half of Section 5; T. 29 N., R. 12 E., a distance of approximately 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of 210.0 feet to the North right-of-way line of Oakman Road; thence westerly along the North right-of-way of Oakman Road a distance of 168.0 more or less to the point of beginning.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. 10 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is from and after its passage, approval by the Mayor and sixty (60) days after legal publication thereof.

SECTION 4. This Ordinance shall be in full force and effects from and after its passage, approval by the Mayor, and sixty (60) days after legal publication.

VIVIAN SCHWIDT
Councilman

Read the third time in full and on motion by Kraus seconded by Tolarico and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight
Burns, Hingo, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Tolarico

Nays: None
Abstained: One
Slier

CHARLES W. WESTERMAN
City Clerk

Date: 10-30-73
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-71-73 on the 9th day of October, 1973.

ATTEST: (SEAL)
CHARLES W. WESTERMAN
City Clerk

WINFIELD C. MOSES, JR.
Presiding Officer

Presented by me to the Mayor at the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 12th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

IVAN A. LEBANDOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-71-73 passed by the Common Council on the 9th day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of October, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1973.

CHARLES W. WESTERMAN
CITY CLERK

Common Council, City Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

157

2

159

COMPUTATION OF CHARGES

159 lines columns wide equals equivalent lines at 288 cents per line

\$ 45.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2)

1.00

TOTAL AMOUNT OF CLAIM

\$ 46.79

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions two

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 10-30-73, 19

Title ARVILLA DE WALD CLERK

NOTARY
DATE: 10-9-73
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Annexation Ordinance No. X-01-73 on the 7th day of October, 1973.
ATTEST: (SEAL)
CHARLES W. WESTERMAN
City Clerk
WINFIELD C. MOSES, JR.
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M.E.S.T.
CHARLES W. WESTERMAN
City Clerk
Approved and signed by me this 12th day of October, 1973, at the hour of 11:00 o'clock A.M.E.S.T.
IVAN A. LEBANOFF
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of Annexation Ordinance No. X-01-73 passed by the Common Council on the 7th day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of October, 1973.
CHARLES W. WESTERMAN
CITY CLERK
10-22-27
(6851#)

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

October 22 and 29, 1973

Subscribed and sworn to before me this 30th day of October 19 73

My commission expires March 8th, 1974

Notary Public